

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BLUEFIELD

KENNETH A. WHITE,

Plaintiff,

v.

CIVIL ACTION NO. 1:12-07503

HUNTINGTON NATIONAL BANK,

Defendant.

**MEMORANDUM OPINION AND ORDER**

By Standing Order, on November 8, 2012, this action was referred to United States Magistrate Judge R. Clarke VanDervort for submission of findings and recommendations regarding disposition pursuant to 28 U.S.C. § 636(b)(1)(B). On June 6, 2013, plaintiff filed a letter-form motion to dismiss his complaint without prejudice. Doc. No. 19. Magistrate Judge VanDervort submitted to the court his Proposed Findings and Recommendation (PF&R) on June 11, 2013, in which he recommended that the District Court grant plaintiff's motion, dismiss plaintiff's complaint without prejudice, and remove this matter from the court's docket. Doc. No. 20 at 3.

In accordance with 28 U.S.C. § 636(b), the parties were allotted fourteen days, plus three mailing days, within which to file any objections to Magistrate Judge VanDervort's PF&R. The failure of any party to file such objections constitutes a

waiver of such party's right to a de novo review by this court.  
Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989).

The parties failed to file any objections to Magistrate Judge VanDervort's PF&R within the seventeen-day period. Having reviewed the PF&R, the court adopts the findings and recommendations therein. Accordingly, the court **GRANTS** plaintiff's "Motion to Dismiss Without Prejudice," (Doc. No. 19), **DISMISSES** plaintiff's complaint, and directs the Clerk to remove this case from the court's active docket.

The Clerk is directed to forward a copy of this Memorandum Opinion and Order to plaintiff, pro se, and counsel of record. The Clerk is further directed to remove this case from the court's active docket.

**IT IS SO ORDERED** this 12th day of July, 2013.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber  
Senior United States District Judge